



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,197	08/21/2001	Daisuke Ito	0879-0346P	6456

2292 7590 05/08/2006

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

JONES, HEATHER RAE

ART UNIT	PAPER NUMBER
----------	--------------

2621

DATE MAILED: 05/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/933,197	Applicant(s) ITO ET AL.	
	Examiner Heather R. Jones	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-24 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

The Examiner has specific knowledge of a reference (Steinberg et al. – U.S. Patent 5,862,217) which when combined with Watanabe et al. (U.S. Patent 5,953,481) would render claims 1-7 and 9-24 unpatentable. The following Office Action is non-final due to the newly discovered reference (Steinberg et al.).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 5, 10, 12, 14, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. (U.S. Patent 5,953,481) in view of Steinberg et al. (U.S. Patent 5,862,217).

Regarding claims 1 and 12, Watanabe et al. discloses a reproducing apparatus having an editing function, which includes a camera-integrated type VTR that comprises a body (10), a control part provided to the body (2), the control part (2) being operated by a user (the control part (2) is operated by the user through the input key group (5)); a communication device which transmits image data (col. 10, lines 16-20); and a wireless communication device (3) that transmits operation information corresponding with operation of the control part (2) to an external apparatus (11) to remotely control the external apparatus (11)

(col. 9, lines 61-67; col. 10, lines 1-38) when within a predetermined distance therefrom. Watanabe et al. does not specifically disclose that the wireless communication device transmits image data.

Referring to the Steinberg et al. reference, Steinberg et al. discloses a remote video transmission system wherein image data is transmitted wirelessly from a camera-integrated device (10) to an external apparatus (12) (Fig. 1; col. 2, lines 49-64; col. 3, lines 31-35).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the image data transmitted by Watanabe et al. would be transmitted wirelessly, in the manner taught by Steinberg et al., so communication would be made easier by being accessible in areas where standard lines are inaccessible.

Regarding claims **5** and **17**, Watanabe et al. discloses a reproducing apparatus having an editing function, which includes a camera-integrated type VTR that comprises a body (10), a control part provided to the body (2), the control part (2) being operated by a user (the control part (2) is operated by the user through the input key group (5)); a communication device which transmits image data (col. 10, lines 16-20); and a wireless communication device (3) that transmits operation information corresponding with operation of the control part (2) to an external apparatus (11) to remotely control the external apparatus (11) (col. 9, lines 61-67; col. 10, lines 1-38) when within a predetermined distance therefrom. Watanabe et al. does not specifically disclose a taking lens; an

imaging device which converts a light which has entered the electronic camera through the taking lens into electrical signals; a recording device which records an image captured by the imaging device in a storage medium; or that the wireless communication device transmits image data.

Referring to the Steinberg et al. reference, Steinberg et al. discloses an electronic camera comprising a taking lens; an imaging device which converts a light which has entered the electronic camera through the taking lens into electrical signals; and a recording device which records an image captured by the imaging device in a storage medium (Figs. 1 and 2; col. 3, lines 40-55). Furthermore, Steinberg et al. discloses a remote video transmission system wherein image data is transmitted wirelessly from a camera-integrated device (10) to an external apparatus (12) (Fig. 1; col. 2, lines 49-64; col. 3, lines 31-35).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the image data transmitted by Watanabe et al. would be transmitted wirelessly, in the manner taught by Steinberg et al., so communication would be made easier by being accessible in areas where standard lines are inaccessible.

Regarding claim 10, Watanabe et al. in view of Steinberg et al. discloses all the limitations previously discussed with respect to claim 1 as well as Watanabe et al. further disclosing that the control part (2) comprises an operation key (input key group (5)).

Regarding claim **14**, Watanabe et al. in view of Steinberg et al. discloses all the limitations previously discussed with respect to claims 1 and 10 as well as disclosing transmission of image data occurs when the camera is within a predetermined distance of the external apparatus (the camera and external apparatus would have to be within a predetermined distance from each other to allow the transmission of image data and information relating to the image data for storage on the external apparatus to occur without encountering the specified difficulties).

3. Claims 2, 9, 11, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. in view of Steinberg et al. as applied to claim 1 above, and further in view of Matsumoto et al. (U.S. Patent 5,796,428).

Regarding claim **2**, Watanabe et al. in view of Steinberg et al. discloses all the limitations as previously discussed with respect to claim 1 as well as Watanabe et al. further disclosing that the external apparatus (11) comprises a wireless communication device (12) that communicates with the camera (10) to receive accessory information. However, Watanabe et al. in view of Steinberg et al. fail to disclose a processor configured to classify images received from the camera into image groups according to the accessory information and create virtual folders, each of the virtual folders comprising each of the image groups, and a displaying device which displays the virtual folders.

Referring to the Matsumoto et al. reference, Matsumoto et al. discloses an electronic photography system. Image data is captured by image capturing unit

(101) and stored along with attribute data of the picture image data (col. 7, lines 53-56). The storage/display unit accepts the attribute and image data from the image-capturing unit, display controller (112) creates album data based on the image and attribute data (col. 7, lines 57-61; col. 8, lines 18-19), and displays data on the display (113). Display controller (112) classifies images received from image capturing unit (101) into groups according to attribute information and creates albums (virtual folders) that contain the image groups (col. 9, lines 53-56; see Figs. 5, 7, 8), and display device (113) displays the albums (virtual folders).

It would have been obvious to one of ordinary skill in the art at the time the invention was made that auxiliary data could be used to group images taken by the apparatus disclosed by Watanabe et al. in view of Steinberg et al. into "albums" based on the attribute data, in the manner taught by Matsumoto et al., to designate which folder to put images in, to keep related pictures together in a place where they are easily accessible, and to minimize rearrangement and loss of pictures.

Regarding claims **9**, **11**, and **15**, Watanabe et al. in view of Steinberg et al. discloses all the limitations as previously discussed with respect to claims 1 and 5. Furthermore, Watanabe et al. in view of Steinberg et al. in view of Matsumoto et al. discloses a processor configured to classify images as discussed above with reference to the rejection of Claim 2. Furthermore, Matsumoto et al. further discloses the external apparatus comprises a storage/display controller (111) that

comprises an inherent memory for storing program instructions, and a display controller (112) responds to these instructions to classify received images.

4. Claims 3, 4, 6, 7, 13, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. in view of Steinberg et al. as applied to claims 1 and 10 or 5 above, and further in view of Freeman et al. (U.S. Patent 5,579,239).

Regarding claims **3**, **4**, and **13**, Watanabe et al. in view of Steinberg et al. discloses all the limitations as previously discussed with respect to claim 1 as well as Watanabe et al. further disclosing a storing device (4) that stores identification information for specifying the external apparatus (11) (col. 8, lines 8-12) and a specifying device (5) that specifies the external apparatus from the identification information stored in the storing device (11) (col. 9, lines 50-55). However, Watanabe et al. in view of Steinberg et al. fail to disclose an encoding device that encodes the image data and the operation information according to the identification information or a decoding device in the external apparatus that decodes, according to the identification information, the encoded data received from the electronic camera.

Referring to the Freeman et al. reference, Freeman et al. discloses a video transmission system comprising an encoding device that encodes, according to the identification information, image data and the operation information and a decoding device that decodes, according to the identification information, the encoded data received from the electronic camera (col. 5, lines 4-7; col. 6, lines 44-49; col. 7, lines 21-33; Abstract, lines 1-6).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to compress and decompress the image data transmitted by Watanabe et al. in view of Steinberg et al., in the manner taught by Freeman et al., to be able to use low bandwidth lines and reduce time needed to transmit data across the lines. It would have been further obvious to encode one of the image data and operation information, and decode the encoded data, in the manner taught by Freeman et al., to ensure accurate data is sent to the appropriate external device.

Regarding claim **6**, Watanabe et al. in view of Steinberg et al. in view of Freeman et al. discloses all the limitations previously discussed with respect to claim 4 as well as Steinberg et al. further disclosing that the external unit (12) has a displaying device which displays the image (Fig. 1; col. 3, lines 31-35). Freeman et al. also discloses that the external unit has a displaying device that displays the image (col. 4, lines 28-31; col. 5, lines 2-3).

Regarding claim **7**, grounds for rejecting claim 3 apply for claim 7 in its entirety.

Regarding claim **16**, Watanabe et al. in view of Steinberg et al. in view of Freeman et al. discloses all the limitations previously discussed with respect to claims 1, 10, and 13 as well as disclosing transmission of image data occurs when the camera is within a predetermined distance of the external apparatus (the camera and external apparatus would have to be within a predetermined distance from each other to allow the transmission of image data and information

relating to the image data for storage on the external apparatus to occur without encountering the specified difficulties).

5. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. in view of Steinberg et al. in view of Matsumoto et al. as applied to claim 15 above, and further in view of Freeman et al. (U.S. Patent 5,579,239).

Regarding claim **18**, grounds for rejecting claim 3 apply for claim 18 in its entirety.

6. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. in view of Steinberg et al. and Matsumoto et al. (U.S. Patent 5,796,428).

Regarding claim **19**, see rejection of Claims 14 and 16 above.

7. Claims 20/1, 20/5, 20/12 and 20/17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. in view of Steinberg et al. as applied to claims 1 and 12 above, and further in view of Peters (U.S. Patent 6,601,093).

Regarding claims **20/1**, **20/5**, **20/12**, and **20/17**, Watanabe et al. in view of Steinberg et al. discloses all the limitations as previously discussed with respect to claims 1 and 12, but does not specifically disclose the wireless communication device automatically initiates communication with the external device without any action by the user when the camera is within a predetermined distance of the external apparatus.

Referring to the Peters reference, Peters discloses a networking environment that utilizes the Bluetooth™ technique, which is a technique that

enables devices containing radio modems to be automatically detected upon coming into radio proximity with one or more other similarly-equipped devices (col. 6, lines 44-49). Peters gives the example of this technique being utilized between a wireless computer and server, wherein the wireless computer establishes communication with the server upon coming into proximity of the signal field of the server (col. 4, lines 41-50). Peters further states that the low-powered radio module defined by Bluetooth standard is intended to be built into various devices, including digital cameras (col. 6, lines 59-64), and that the advantages of using this technology include offering a great convenience to users in that devices can easily be added or moved without the inconvenience and expense of cables or in-premises wiring (col. 5, lines 1-19).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the Bluetooth technique disclosed by Peters into the electronic camera of Watanabe et al. in view of Steinberg et al., making the camera a Bluetooth-enabled device, to offer a great convenience to users in that the camera can easily be moved without the inconvenience and expense of cables or in-premises wiring when connected to the external device, and also to reduce power consumption which would occur if the external device was left on when not in use, but rather would turn the external device on when the camera is within a predetermined distance.

Art Unit: 2621

8. Claims 20/2, 21, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. in view of Steinberg et al. in view of Matsumoto et al. as applied to claim 2 above, and further in view of Peters (U.S. Patent 6,601,093).

Regarding claim **20/2**, see the previous rejection of claim 20/1 above.

Regarding claims **21** and **22**, grounds for rejecting claim 20/2 applies for claims 21 and 22 in their entirety.

9. Claim 20/4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. in view of Steinberg et al. in view of Freeman et al. as applied to claims 4, 9, 11, or 15 above, and further in view of Peters (U.S. Patent 6,601,093).

Regarding claim **20/4**, see the previous rejection of claim 20/1 above.

10. Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. in view of Steinberg et al. and in view of Peters (U.S. Patent 6,601,093).

Regarding claim **23**, see the rejection of claims 1 and 20 above.

Regarding claim **24**, see the rejection of claims 5 and 20 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather R. Jones whose telephone number is 571-272-7368. The examiner can normally be reached on Mon. - Thurs.: 7:00 am - 4:30 pm, and every other Fri.: 7:00 am - 3:30 pm.

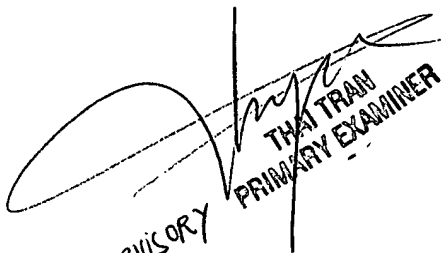
Art Unit: 2621

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Heather R Jones
Examiner
Art Unit 2621

HRJ
April 18, 2006


SUPERVISORY
THAI TRAN
PRIMARY EXAMINER


ANDREW I. FAILE
DIRECTOR
TECHNOLOGY CENTER 2800